



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/645,866

08/20/2003

Arto Suomi

915-007.44

7674

4955

7590

10/27/2006

WARE FRESSOLA VAN DER SLUYS &
ADOLPHSON, LLP
BRADFORD GREEN, BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

EXAMINER

NGUYEN, HUY D

ART UNIT

PAPER NUMBER

2617

DATE MAILED: 10/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/645,866	SUOMI, ARTO	
	Examiner	Art Unit	
	Huy D. Nguyen	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 2 and 4-16 is/are rejected.
- 7) ☒ Claim(s) 3 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-2, 4-13 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-5, 7-12, 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuah (US 2003/0214928 A1) in view of Sim (US 2003/0093167 A1).

Regarding claim 1, Chuah teaches a method for supporting a data exchange between terminal equipment and a mobile communication network via a mobile terminal, said terminal equipment and said mobile terminal being separate entities, said method comprising at said mobile terminal: receiving from said terminal equipment a request to establish a connection to said mobile communication network for exchanging data (e.g., connection request - see paragraph [0222]); forwarding said request to said mobile communication network (see paragraph [0222]). Chuah does not teach that in case a failure occurs concerning said requested connection and an indication of a cause of said failure is received from said mobile communication network, forwarding said indication to said terminal equipment. However, the

preceding limitation is taught in Sim (e.g., transmit an explanatory message to the portable module which has been denied access to the queue area to explain the reason why access has been denied - see paragraph [0033]). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Sim to the teaching of Chuah to provide convenience for users by explaining the reason why access has been denied.

Regarding claim 2, Sim teaches the method according to claim 1, wherein said failure is a failure resulting in a rejection of said request to said mobile communication network to establish a connection, said indication being an indication of a cause of said rejection (see paragraph [0033]).

Regarding claims 4 and 9, Sim teaches the method according to claim 1, further comprising at said terminal equipment receiving said indication of a cause of a failure from said mobile terminal and presenting a corresponding information to a user of said terminal equipment (see paragraph [0033]).

Claims 7 and 14 claim a mobile terminal for carrying out the method of claim 1. Thus, claims 7 and 14 are rejected with the same reason set forth in claim 1.

Claims 8 and 15 claim a terminal equipment for carrying out the method of claim 1. Thus, claims 8 and 15 are rejected with the same reason set forth in claim 1.

Claim 11 claims a system for carrying out the method of claim 1. Thus, claim 11 is rejected with the same reason set forth in claim 1.

Claim 12 claims a software program for carrying out the method of claim 1. Thus, claim 12 is rejected with the same reason set forth in claim 1.

Regarding claims 5, 10, and 16, Chuah teaches the claimed invention except the step of storing the indication for further use. The examiner takes official notice that saving/storing information in mobile equipment for later use has been well known in the art. Thus it would have been obvious to one having ordinary skill in the art at the time the invention was made to store the indication for quick future retrieval or reference.

4. Claims 6 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chuah in view of Sim (US 2003/0093167 A1) and in further view of Chou (U.S. Patent No. 5,850,526).

Regarding claim 6, the combination of Chuah and Sim teaches the claimed invention except the use of the data field of a link control packet. However, the preceding limitation is taught in Chou (see column 7, lines 11-15). It would have been obvious to one having ordinary skill in the art at the time the invention was made to apply the teaching of Chou to the teaching of Chuah and Sim to save and to use resources efficiently.

Claim 13 is the combination of claims 1 and 6. Thus, claim 13 is rejected with the same reason set forth in claims 1 and 6.

Allowable Subject Matter

5. Claim 3 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Cave (US 6,631,269 B1) teaches signaling connection admission control in a wireless network.
- Acharya et al. (US 6,502,062) teaches system and method for scheduling data delivery using flow and stretch algorithms.

Contact Information

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy D. Nguyen whose telephone number is 571-272-7845. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Huy D Nguyen
Patent Examiner
Art Unit 2617